

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

C.A. NO. 2016-

ANN MARIE MAGUIRE, in her capacity  
As Co-administratrix of the Estate of Joseph Maguire II,  
*PLAINTIFF,*

Vs.

FMR LLC, also known as  
FIDELITY INVESTMENTS  
*DEFENDANT*

**COMPLAINT**

1. Plaintiff Ann Marie Maguire is the Co-administratrix of the Estate of Joseph Maguire II, having been so appointed by the Probate Court of the City of Woonsocket, Rhode Island. She is a resident of North Providence, Providence County, Rhode Island; the Estate is a resident of Woonsocket, Providence County, Rhode Island.

2. FMR LLC, also known as Fidelity Investments, is Delaware Corporation with a principal place of business at Boston, Suffolk County, Massachusetts.

3. This Court has jurisdiction pursuant to 28 U.S.C. sec. 1332 because the parties are citizens of different states and the amount in controversy is in excess of \$75,000. In addition, because this case involves ERISA, it presents a federal question under 28 U.S.C. sec. 1331.

4. Venue lies in the District of Rhode Island.

5. The decedent, Joseph Maguire II, was during his lifetime an employee of FMR LLC and was a participant in the company's profit sharing plan.

6. On information and belief, at the time of his death the decedent had on deposit in the FMR LLC profit sharing plan funds in excess of \$75,000.

7. FMR LLC has advised the Plaintiff that its records do not reflect the designation of any beneficiary for the funds on deposit at the time of the decedent's death.

8. Plaintiff has requested copies of all account opening documents, any modifications or amendments of those documents prepared or completed by the decedent, copies of any and all beneficiary designation forms or other documents of any kind or nature identifying individuals that the decedent designated for said account at any time from the date of the account's opening until the date of the decedent's death. FMR LLC has provided some documents relative to the plan, but not the requested documents.

WHEREFORE, Plaintiff prays for injunctive relief, directing the Defendant FMR LLC to make available to the Plaintiff for inspection and copying documents within its care, custody, or control or that may, through the exercise of reasonable diligence come within the care, custody, or control of the Defendant FMR LLC reflecting any designation of beneficiary on said account, from the date of its opening until the date of the decedent's death.

RESPECTFULLY SUBMITTED,

Ann Marie Maguire, in her capacity as  
Co-administratrix of the Estate of  
Joseph Maguire II,  
By her Attorney:

/s/Thomas More Dickinson

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Date: September 6, 2016